

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85205419
LAW OFFICE ASSIGNED	LAW OFFICE 101
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (028)(current)	
INTERNATIONAL CLASS	028
DESCRIPTION	
Airsoft guns, air guns, soft air guns, paintball guns, and related parts and fittings, all for recreational purposes; toys, namely, soft air gun replicas, model guns, toy guns, toy pistols, toy model and replica weapons and their constituent parts and fittings; toy projectiles and ammunition for toy model and replica weapons; model and toy replica weapons for virtual firing and their constituent parts; model and toy replica weapons for use with an electronic target and/or display, their constituent parts and fittings; toy holsters and toy cases for model and toy replica weapons; targets, toy holster; toy scopes and sights; paintballs, pellets, BB pellets, gas cartridges and toy ammunition for air guns, soft air guns, airsoft guns and paintball guns, all for recreational purposes; face masks, gloves, protective padding and specially padded protective clothing all for use in playing airsoft and paintball games; toy masks; carrying bags and containers specially adapted for airsoft and paintball game equipment; cases and boxes specifically adapted for the storage of toy ammunition for toy model and toy replica weapons and accessories for airsoft guns, air guns, soft air guns, paintball guns and game equipment; automatic and coin operated amusement machines	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (028)(proposed)	
INTERNATIONAL CLASS	028
TRACKED TEXT DESCRIPTION	
Airsoft guns, air guns, soft air guns, paintball guns, and related parts and fittings, all for recreational purposes; toys, namely, soft air gun replicas, model guns, toy guns, toy pistols, toy model and replica weapons and their constituent parts and fittings; toy projectiles and ammunition for toy model and replica weapons; model and toy replica weapons for virtual firing and their constituent parts; model and toy replica weapons for use with an electronic target and/or display, their constituent parts and fittings; toy holsters and toy cases for model and toy replica weapons; targets, toy holster; toy scopes and sights; paintballs, pellets, BB pellets, gas cartridges and toy ammunition for air guns, soft air guns, airsoft guns and paintball guns, all for recreational purposes; <u>paintballs, toy pellets, toy BB pellets, and toy ammunition for air guns, soft air guns, airsoft guns and paintball guns, all for recreational purposes;</u> face	

masks, gloves, protective padding and specially padded protective clothing all for use in playing airsoft and paintball games; toy masks; carrying bags and containers specially adapted for airsoft and paintball game equipment; cases and boxes specifically adapted for the storage of toy ammunition for toy model and toy replica weapons and accessories for airsoft guns, air guns, soft air guns, paintball guns and game equipment; automatic and coin operated amusement machines

FINAL DESCRIPTION

Airsoft guns, air guns, soft air guns, paintball guns, and related parts and fittings, all for recreational purposes; toys, namely, soft air gun replicas, model guns, toy guns, toy pistols, toy model and replica weapons and their constituent parts and fittings; toy projectiles and ammunition for toy model and replica weapons; model and toy replica weapons for virtual firing and their constituent parts; model and toy replica weapons for use with an electronic target and/or display, their constituent parts and fittings; toy holsters and toy cases for model and toy replica weapons; targets, toy holster; toy scopes and sights; paintballs, toy pellets, toy BB pellets, and toy ammunition for air guns, soft air guns, airsoft guns and paintball guns, all for recreational purposes; face masks, gloves, protective padding and specially padded protective clothing all for use in playing airsoft and paintball games; toy masks; carrying bags and containers specially adapted for airsoft and paintball game equipment; cases and boxes specifically adapted for the storage of toy ammunition for toy model and toy replica weapons and accessories for airsoft guns, air guns, soft air guns, paintball guns and game equipment; automatic and coin operated amusement machines

FILING BASIS

Section 1(b)

GOODS AND/OR SERVICES SECTION (001)(class added)

INTERNATIONAL CLASS

001

DESCRIPTION

Carbon dioxide (CO2) filled cartridges for use in powering air guns, soft air guns, airsoft guns and paintball guns, all for recreational purposes

FILING BASIS

Section 1(b)

CORRESPONDENCE SECTION

ORIGINAL ADDRESS

JILL J. CHALMERS
HOLME ROBERTS & OWEN LLP
90 S CASCADE AVE STE 1300
COLORADO SPRINGS
Colorado (CO)
US
80903-1615

NEW CORRESPONDENCE SECTION

NAME

Jill J. Chalmers

FIRM NAME

Bryan Cave LLP

INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER

55814-20000

STREET

90 S CASCADE AVE STE 1300

CITY	COLORADO SPRINGS
STATE	Colorado
ZIP/POSTAL CODE	80903-1615
COUNTRY	United States
PHONE	(719) 473-3800
FAX	(719) 633-1518
EMAIL	jill.chalmers@bryancave.com
AUTHORIZED EMAIL COMMUNICATION	Yes
PAYMENT SECTION	
NUMBER OF CLASSES	1
FEE PER CLASS	325
TOTAL FEES DUE	325
SIGNATURE SECTION	
DECLARATION SIGNATURE	The filing Attorney has elected not to submit the signed declaration, believing no supporting declaration is required under the <i>Trademark Rules of Practice</i> .
RESPONSE SIGNATURE	/jill j. chalmers/
SIGNATORY'S NAME	Jill J. Chalmers
SIGNATORY'S POSITION	Attorney of record, Colorado bar member
SIGNATORY'S PHONE NUMBER	(719) 473-3800
DATE SIGNED	04/19/2012
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Apr 19 18:17:36 EDT 2012
TEAS STAMP	USPTO/RFR-4.53.8.29-20120 419181736740627-85205419- 490a188b05d90c2bcac7063b5 a2e28f3ae-DA-5358-2012041 9181612335715

Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. **85205419** has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 028 for Airsoft guns, air guns, soft air guns, paintball guns, and related parts and fittings, all for recreational purposes; toys, namely, soft air gun replicas, model guns, toy guns, toy pistols, toy model and replica weapons and their constituent parts and fittings; toy projectiles and ammunition for toy model and replica weapons; model and toy replica weapons for virtual firing and their constituent parts; model and toy replica weapons for use with an electronic target and/or display, their constituent parts and fittings; toy holsters and toy cases for model and toy replica weapons; targets, toy holster; toy scopes and sights; paintballs, pellets, BB pellets, gas cartridges and toy ammunition for air guns, soft air guns, airsoft guns and paintball guns, all for recreational purposes; face masks, gloves, protective padding and specially padded protective clothing all for use in playing airsoft and paintball games; toy masks; carrying bags and containers specially adapted for airsoft and paintball game equipment; cases and boxes specifically adapted for the storage of toy ammunition for toy model and toy replica weapons and accessories for airsoft guns, air guns, soft air guns, paintball guns and game equipment; automatic and coin operated amusement machines

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Proposed:

Tracked Text Description: Airsoft guns, air guns, soft air guns, paintball guns, and related parts and fittings, all for recreational purposes; toys, namely, soft air gun replicas, model guns, toy guns, toy pistols, toy model and replica weapons and their constituent parts and fittings; toy projectiles and ammunition for toy model and replica weapons; model and toy replica weapons for virtual firing and their constituent parts; model and toy replica weapons for use with an electronic target and/or display, their constituent parts and fittings; toy holsters and toy cases for model and toy replica weapons; targets, toy holster; toy scopes and sights; ~~paintballs, pellets, BB pellets, gas cartridges and toy ammunition for air guns, soft air guns, airsoft guns and paintball guns, all for recreational purposes;~~ paintballs, toy pellets, toy BB pellets, and toy ammunition for air guns, soft air guns, airsoft guns and paintball guns, all for recreational purposes; face masks, gloves, protective padding and specially padded protective clothing all for use in playing airsoft and paintball games; toy masks; carrying bags and containers specially adapted for airsoft and paintball game equipment; cases and boxes specifically adapted for the storage of toy ammunition for toy model and toy replica weapons and accessories for airsoft guns, air guns, soft air guns, paintball guns and game equipment; automatic and coin operated amusement machines

Class 028 for Airsoft guns, air guns, soft air guns, paintball guns, and related parts and fittings, all for recreational purposes; toys, namely, soft air gun replicas, model guns, toy guns, toy pistols, toy model and replica weapons and their constituent parts and fittings; toy projectiles and ammunition for toy model and replica weapons; model and toy replica weapons for virtual firing and their constituent parts; model and toy replica weapons for use with an electronic target and/or display, their constituent parts and fittings; toy holsters and toy cases for model and toy replica weapons; targets, toy holster; toy scopes and sights;

paintballs, toy pellets, toy BB pellets, and toy ammunition for air guns, soft air guns, airsoft guns and paintball guns, all for recreational purposes; face masks, gloves, protective padding and specially padded protective clothing all for use in playing airsoft and paintball games; toy masks; carrying bags and containers specially adapted for airsoft and paintball game equipment; cases and boxes specifically adapted for the storage of toy ammunition for toy model and toy replica weapons and accessories for airsoft guns, air guns, soft air guns, paintball guns and game equipment; automatic and coin operated amusement machines

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Applicant hereby adds the following class of goods/services to the application:

New: Class 001 for Carbon dioxide (CO2) filled cartridges for use in powering air guns, soft air guns, airsoft guns and paintball guns, all for recreational purposes

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

CORRESPONDENCE ADDRESS CHANGE

Applicant proposes to amend the following:

Current:

JILL J. CHALMERS
HOLME ROBERTS & OWEN LLP
90 S CASCADE AVE STE 1300
COLORADO SPRINGS
Colorado (CO)
US
80903-1615

Proposed:

Jill J. Chalmers of Bryan Cave LLP, having an address of
90 S CASCADE AVE STE 1300 COLORADO SPRINGS, Colorado 80903-1615
United States
jill.chalmers@bryancave.com
(719) 473-3800
(719) 633-1518
The attorney docket/reference number is 55814-20000.

FEE(S)

Fee(s) in the amount of \$325 is being submitted.

SIGNATURE(S)

Declaration Signature

I hereby elect to bypass the submission of a signed declaration, because I believe a declaration is not required by the rules of practice. I understand that the examining attorney could still, upon later review, require a signed declaration.

Request for Reconsideration Signature

Signature: /jill j. chalmers/ Date: 04/19/2012

Signatory's Name: Jill J. Chalmers

Signatory's Position: Attorney of record, Colorado bar member

Signatory's Phone Number: (719) 473-3800

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Mailing Address: Jill J. Chalmers

Bryan Cave LLP

90 S CASCADE AVE STE 1300

COLORADO SPRINGS, Colorado 80903-1615

RAM Sale Number: 5358

RAM Accounting Date: 04/20/2012

Serial Number: 85205419

Internet Transmission Date: Thu Apr 19 18:17:36 EDT 2012

TEAS Stamp: USPTO/RFR-4.53.8.29-20120419181736740627

-85205419-490a188b05d90c2bcac7063b5a2e28

f3ae-DA-5358-20120419181612335715

RAM SALE NUMBER: 5358
RAM ACCOUNTING DATE: 20120420

INTERNET TRANSMISSION DATE:
2012/04/19

SERIAL NUMBER:
85/205419

Description	Fee Code	Transaction Date	Fee	Number Of Classes	Total Fees Paid
New App	7001	2012/04/19	325	1	325